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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JIMMY ALEJANDRO JARQUIN,)
)
Defendant.)
_____)

No. CR 12-0406 MMC

**STIPULATION AND ~~PROPOSED~~
ORDER CHANGING HEARING DATE
AND EXCLUDING TIME**

The Court has set November 14, 2012, as the date for a further status hearing or a change of plea in this matter. The parties have engaged in settlement discussions and anticipate that they will resolve the case through a guilty plea. The parties respectfully request that the hearing be put over two weeks, to November 28, 2012, for a change of plea.

The parties further request that time between these dates be excluded from any time limits applicable under 18 U.S.C. § 3161, for the purpose of effective preparation. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

1 SO STIPULATED:

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3 MELINDA HAAG
United States Attorney

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5 DATED: November 13, 2012

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8 /s/
KEVIN J. BARRY
Assistant United States Attorney

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10 DATED: November 13, 2012

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12 /s/
BRIAN NEWMAN
Attorney for JIMMY JARQUIN

13 [PROPOSED] ORDER

14 For the reasons stated above, the Court finds that exclusion from the time limits
15 applicable under 18 U.S.C. § 3161 of the period from November 14, 2012 through November 28,
16 2012, is warranted and that the ends of justice served by the continuance outweigh the best
17 interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). The failure
18 to grant the requested exclusion of time would deny counsel for the defendant and for the
19 government the reasonable time necessary for effective preparation, taking into account the
20 exercise of due diligence, and would affect continuity of counsel, resulting in a miscarriage of
21 justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

22 Further, the status conference is CONTINUED from November 14, 2012 to November 28,
23 IT IS SO ORDERED. 2012, at 2:15 p.m.

24 DATED: November 14, 2012

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THE HONORABLE MAXINE M. CHESNEY
United States District Judge